

Attorney Docket No.: 40101/02301 (2000.055)

REMARKS**I. INTRODUCTION**

Claims 1, 7, and 12 have been amended. No new matter has been added. Thus, claims 1-16 remain pending in the present application. In view of the above amendments and the following remarks, it is respectfully submitted that all of the above-identified claims are allowable.

II. OFFICE COMMUNICATION OF 11/16/2007 AND PENDING APPEAL

Applicants filed a Notice of Appeal and timely filed an Appeal Brief. In the Examiner's Answer, the Examiner presented new grounds of rejection for claims 1-6 and 12-16. Applicants unintentionally failed to file a response to the new grounds of rejection. As a result, Applicants received an Office Communication mailed on November 16, 2007 stating that claims 1-6 and 12-16 were cancelled from the application and claims 7-11 remain before the Board on Appeal. (See 11/16/07 Office Communication).

Accordingly, Applicants respectfully request that claims 1-6 and 12-16 be reinstated in the application and that the Appeal of claims 7-11 be withdrawn in favor of the RCE.

III. THE 35 U.S.C. §102(e) REJECTIONS SHOULD BE WITHDRAWN

Claims 1-6 and 12-16 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,662,182 to Esquibel et al. (hereinafter "Esquibel"). (See 08/25/06 Examiner's Answer, p. 3, lines 15-16).

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Currently amended claim 1 recites, *inter alia*, a “system, comprising a processor adapted to execute a software package, the software package, comprising: a converter module applying a converter function corresponding to the file format of a plurality of original files to create new files in a converted file format, *the converter module storing an extensible set of converter functions* and the converter function is selected from the extensible set, wherein each of *the converter functions within the converter module provides instructions necessary to convert each of the plurality of original files to the new files*; and a receiving module determining a format of each of the plurality of original files, the receiving module forwarding each of the files to the converter module based on the determined format for each of the original files, *the receiving module being separate from the converter module.*” (Emphasis added).

The Esquibel patent discloses a system and method for propagating data from one file format and determining whether the file can be opened by a requesting application. (See Esquibel, Abstract). The data propagation system includes a process in communication with a format interpreter, and the process is invoked each time an application is launched. (See Id., col. 3, lines 42-45). When a file is accessed by the process, the process determines the file extension associated with the file. (See Id., col. 4, lines 25-40). If the extension is recognized by the process, the process attempts to open the file in order to interpret information within the file. (See Id.). In accordance with the recognized format, the process will analyze a header of the file and then open the file. (See Id.) A file transfer module may be attached or appended to the file. (See Id., col. 6, lines 1-26). To reformat the file, a file transfer module includes logic that uses information to convert the file from one format to another. (See Id.) If a file does not include a transfer module, the user must attach a module to the file to allow for conversion. (See Id., col. 6 lines 39-52, and col. 7 lines 19-54).

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The Examiner has asserted that the Esquibel discloses a converter module storing an extensible set of converter functions. (See 08/25/06 Examiner's Answer, p. 3, line 21 – p. 4, line 1). According to Esquibel, "...any file conversion intermediary can be stored and available for use in format interpreter 118. (See Esquibel, col. 4, lines 48-56). However, while the file conversion intermediary of Esquibel may perform the conversion of a file, the information necessary to perform the conversion of any given file are not stored in the file conversion intermediary or in the format interpreter 118. Initially, it should be noted that the "conversion intermediary" as described by Esquibel is not equivalent to the conversion *functions*, as recited in claim 1. There is no indication within Esquibel that the conversion intermediary includes or stores an extensible set of instructions necessary to convert one file to a new format. According to Esquibel, the conversion intermediary must receive instructions from a separate source, specifically, from the file specification module 201 of the file. In contrast to the limitations of amended claim 1, the information necessary for converting the file into a new format, according to the Esquibel patent, must be included within the data propagating file structure attached to the file itself, either as an executable module *attached* to the file or a resource pointer *contained* within the file. As stated by Esquibel:

File specification module 201 *includes the file specification necessary* to convert the data 138 contained in the file 136 into another format. Said another way, the file 136 can be converted to any other file format *so long as the file specifications of the new format are present* in file specification module 201. (Emphasis added). (See *Id.*, col. 5, lines 62-67).

Therefore, according to Esquibel, the information necessary to convert the original file into a new file must be included within the file. This information, or instructions, is not stored within the conversion intermediaries. While the format interpreter 118 may include

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specifications for *determining* all known elements of all file formats, Esquibel is silent on the conversion intermediary within the format interpreter 118 including instructions necessary for converting the format of the file. Esquibel goes on to state that:

One manner of accomplishing [file conversion] is to attach a file specification module (201 of FIG. 2A) and a file transfer module 205 (205 of FIG. 2A) to the file and perform a file translation as indicated in box 306, resulting in the transformation of the .pdf file 301 to the .doc file 302. Alternatively, the resource indicator (202 of FIG. 2A) can include a pointer to the server 304 in order to invoke the appropriate file conversion intermediary contained in the format interpreter (118 of FIG. 1) to perform the file conversion. (Emphasis added). (See *Id.*, col. 5, lines 62-67).

Therefore, as described above, the instructions necessary to invoke conversion by the conversion intermediary within the format interpreter 118 must be received by the conversion intermediary with the file that is to be converted. Accordingly, Esquibel fails to teach or suggest that these instructions are stored within the conversion intermediary in an extensible set of conversion functions. As illustrated in Fig. 4 of Esquibel, once it is determined that the file does not have a readable version and extension (step 402), the method determines *if an executable module is attached to the file* (step 404). (See *Id.*, col. 7, lines 1-61; and Fig. 4). If the file does not have an executable module attached, the method determines *if the file contains a resource pointer* for an additional module (step 408). (See *Id.*). If the file does not have either the executable module or a pointer, the file is loaded “as is” and is not converted (step 411). (See *Id.*). Thus, the conversion of the file, according to Esquibel, requires instructions for conversion that originate external to the conversion intermediary.

Accordingly, it is respectfully submitted that Esquibel fails to teach or suggest, “...a converter module applying a converter function corresponding to the file format of a plurality of original files to create new files in a converted file format, the converter module

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storing an extensible set of converter functions and the converter function is selected from the extensible set, *wherein each of the converter functions within the converter module provides instructions necessary to convert each of the plurality of original files to the new files...*," as recited in claim 1. Applicants respectfully submit that for at least the reasons stated above, claim 1 of the present application is not anticipated by Esquibel, and request that the rejection of this claim be withdrawn. As claims 5-6 depend from, and therefore include all the limitations of claim 1, it is hereby submitted that these claims are also allowable.

Claim 12 recites, "...applying to the original file, by a converter module, a converter function corresponding to the format of the original file, *wherein the converter function is one of an extensible plurality of converter functions stored within the converter module, wherein each of the converter functions within the converter module provides instructions necessary to convert each of the plurality of original files to the new files.*" Thus, for the reasons described above with reference to claim 1, it is respectfully submitted that claim 12 is also allowable. Because claims 13-16 depend from, and therefore include all of the limitations of claim 12, it is respectfully submitted that these claims are also allowable.

IV. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN

Claims 1-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,704,736 to Rys et al. (hereinafter "Rys") in view of Esquibel. (See 08/25/06 Examiner's Answer, p. 5, lines 9-10).

Rys discloses a system and a method for transforming data between hierarchical information and a rowset. (See Rys, Abstract). The method taught by Rys is for transforming hierarchical information into a rowset and for transforming the rowset into hierarchical data.

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(See Id., col. 4, line 65 – col. 5, line 4). In order to perform this transformation, Rys also includes a parser to process the data to be transformed between file types and stores the data in an active store. (See Id., col. 5, lines 43-55). The parser converts the hierarchical information from the active store into a format that is capable of being accessed and processed by a query processor. (See Id., col. 6, lines 16-18). The query processor receives a query from a process, and in turn, processes the hierarchical information in the active store in order to return a rowset to the process. (See Id., col. 6, lines 47-52).

The Examiner correctly notes that Rys does not disclose, “a receiving module determining a format of each of the plurality of original files,” as recited in claim 1. (See 08/25/06 Examiner’s Answer, p. 5, lines 15-18). Furthermore, the Examiner correctly notes that Rys also does not disclose, “converter module storing an extensible set of converter functions and the converter function is selected from the extensible set,” as recited in claim 1. (See Id, p. 8, lines 8-9). Accordingly, the Applicant further submits that Rys fails to teach or suggest, “a converter module applying a converter function corresponding to the file format of a plurality of original files to create new files in a converted file format, the converter module storing an extensible set of converter functions and the converter function is selected from the extensible set, *wherein each of the converter functions within the converter module provides instructions necessary to convert each of the plurality of original files to the new files; and a receiving module determining a format of each of the plurality of original files, the receiving module forwarding each of the files to the converter module based on the determined format for each of the original files, the receiving module being separate from the converter module,*” as recited in currently amended claim 1.

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In view of the above arguments, it is respectfully submitted that neither the Rys patent nor the Esquibel patent, either alone or in combination, disclose or suggest “a receiving module determining a format of each of a plurality of original files; and a converter module applying a converter function corresponding to the file format of each of the original files to create new files in a converted file format, wherein the converter module includes an extensible set of converter functions and the converter function is selected from the extensible set,” as recited in claim 1. Because claims 2-6 depend from, and, therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 7 includes substantially the same limitations as claim 1, including “the conversion module includes an extensible set of converter functions and the converter function is selected from the extensible set.” Thus, for the reasons described above with reference to claim 1, it is respectfully submitted that claim 7 is also allowable. Because claims 8-11 depend from, and, therefore include all of the limitations of claim 7, it is respectfully submitted that these claims are also allowable.

Claim 12 includes substantially the same limitations as claim 1, including “applying to the original file a converter function corresponding to the format of the original file, wherein the converter function is one of an extensible plurality of converter functions; and saving the original file in a new file which is in a converted file format created by the application of the corresponding converter function.” Thus, for the reasons described above with reference to claim 1, it is respectfully submitted that claim 12 is also allowable. Because claims 13-16 depend from, and, therefore include all of the limitations of claim 12, it is respectfully submitted that these claims are also allowable.

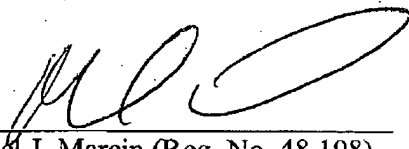
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CONCLUSION

In light of the foregoing, Applicant respectfully submits that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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